

Docket No.: 564462012800
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Brian MORGAN et al.

Application No.: 10/576,122

Confirmation No.: 5578

Filed: (Int'l) October 20, 2004

Art Unit: 1656

For: METHODS FOR MAKING SIMVASTATIN
AND INTERMEDIATES

Examiner: Not Yet Assigned

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RENEWED PETITION UNDER 37 C.F.R. §1.47(A) TO FILE ON BEHALF OF A
MISSING INVENTOR**

Dear Sir:

In response to the Decision on Petition mailed 22 June 2007, denying the Petition to File on Behalf of a Missing Inventor filed 23 May 2007, the real party in interest, assignee Diversa Corporation, hereby requests the Commissioner to accept the accompanying fully executed Rule 63 declaration signed by all inventors and complete this application on its behalf. It is not necessary to renew the petition because the inventor has been located and his signature obtained.

The petition was denied because of a lack of diligent effort to locate a joint inventor. Zilin Huang has been located and an executed copy of his declaration is enclosed herewith. A complete copy of the Rule 63 declaration signed by all inventors is attached.

The petition was also denied because the inventors signatures were presented in a composite declaration with multiple duplicate sheets. Accordingly complete copies of the individual declarations are enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper or credit any overpayment to **Deposit Account No. 03-1952.**

Petitioners request the Commissioner to accept the accompanying documents and deem the application complete in lieu of granting this petition since all inventor signatures have now been obtained for the Rule 63 Declaration.

Dated: August 22, 2007

Respectfully submitted,

Electronic signature: /Gregory P. Einhorn/
Gregory P. Einhorn
Registration No.: 38,440
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
Direct dial 858 720 5133
general office 858 720 5100
fax direct 858 523 5933
fax office 858 720 5125
Email geinhorn@mofo.com